

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

DOCK COLEMAN,

Plaintiff,

v.

HORSESHOE CASINO,

Defendant.

Case No. 2:12-CV-00908-KJD-PAL

**ORDER**

Plaintiff's Complaint (#1) was filed May 29, 2012. Federal Rule of Civil Procedure 4(m) requires service of summons and complaint to be made upon a defendant 120 days after the filing of the complaint. The 120 day time period for effecting service of the summons and complaint upon Defendant expired no later than September 26, 2012. Plaintiff has not yet filed proof of service.

Accordingly, IT IS HEREBY ORDERED that Plaintiff shall have up to and including October 18, 2012 to file proof of service of the summons and complaint within the allowed time. If Plaintiff fails to respond or to file proof of service, the Court will dismiss the complaint without prejudice in accordance with Federal Rule of Civil Procedure 4(m).

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1 IT IS FURTHER ORDERED that the Report and Recommendation (#6) is **DENIED as moot**  
2 because Plaintiff filed his Certificate of Interested Parties (#7).

3 DATED this 4<sup>TH</sup> day of October 2012.  
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7 Kent J. Dawson  
8 United States District Judge  
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